Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 1 of 38

| B1 (Official                 | Form 1)(1/                        | 08)                       |  |                                   |  | oarriorr                            |                                     | (go ± o   | 00   |                                |             |  |
|------------------------------|-----------------------------------|---------------------------|--|-----------------------------------|--|-------------------------------------|-------------------------------------|---|--|--------------------------------|-------------|--|
|                              |                                   |                           | United<br>No                                   |                                   |  | ruptcy<br>of Illino                 |                                     |   |  |                                | Vo          | oluntary Petition  |
| Name of De<br>Fink, Ke       | ,                                 | ividual, ent              | er Last, First                                 | , Middle):                        |  |                                     | Name                                | e of Joint Do   | ebtor (Spouse  | e) (Last, First                | , Middle):  |  |
| All Other N<br>(include ma   |                                   |                           | or in the last<br>e names):                    | 8 years                           |  |                                     |                                     |   | used by the I, maiden, and                               |                                |             | 8 years  |
| Last four dig                | one, state all)                   | Sec. or Indi              | vidual-Taxp                                    | ayer I.D. (                       | (ITIN) No./                                | Complete E                          | IN Last 1                           | our digits ore than one, s  | of Soc. Sec. or state all)                               | r Individual-'                 | Taxpayer    | I.D. (ITIN) No./Complete EIN                             |
|                              | ess of Debto                      | or (No. and               | Street, City,                                  | and State)                        | ):   | ZIP Code                            |                                     | Address of  | f Joint Debtor   | (No. and St                    | reet, City, | and State):  ZIP Code                                    |
|                              |                                   |                           |  |                                   | Г  | 61301                               | ·                                   |   |  |                                |             | Zii codc   |
| County of R                  |                                   | of the Prin               | cipal Place o                                  | of Busines                        |  |                                     | Coun                                | ty of Reside  | ence or of the   | Principal Pl                   | ace of Bus  | siness:  |
| Mailing Add                  | dress of Deb                      | otor (if diffe            | rent from st                                   | reet addres                       | ss):                                       |                                     | Maili                               | ng Address  | of Joint Debt  | tor (if differe                | nt from st  | reet address):   |
|                              |                                   |                           |  |                                   | _  | ZIP Code                            | :                                   |   |  |                                |             | ZIP Code   |
| Location of                  | Dringing! A                       | agets of Duc              | inass Dahta                                    |                                   |  |                                     |                                     |   |  |                                |             |  |
| (if different                |                                   |                           |  | ı                                 |  |                                     |                                     |   |  |                                |             |  |
|                              |                                   | f Debtor                  |  |                                   |  | of Business                         | 3                                   |   | -  |                                |             | e Under Which  |
|                              |                                   | organization) one box)    |  | П Неа                             | Checl)<br>Ith Care Bu                      | c one box)                          |                                     | Chant   |  | Petition is F                  | iled (Chec  | k one box)   |
| T., 4114                     |                                   |                           | >  | ☐ Sing                            | gle Asset R                                | eal Estate as                       | s defined                           | Chapt   |  | □ C                            | hapter 15   | Petition for Recognition                                 |
| Individu See Exh             | iai (includes<br>ibit D on pa     |                           | ,  | in 1                              | 1 U.S.C. §                                 | 101 (51B)                           |                                     | ☐ Chapt   | ter 11   |                                | U           | n Main Proceeding  |
| ☐ Corpora                    | -                                 |                           | •  | ☐ Stoo                            | ckbroker                                   |                                     |                                     | ☐ Chapter 12 ☐ Chapter 15 Petition for Recognition ☐ Chapter 13 ☐ Grapher 15 Petition for Recognition of a Foreign Nonmain Proceeding |  |                                |             |  |
| ☐ Partners                   | hip                               |                           |  |                                   | ☐ Commodity Broker ☐ Clearing Bank ☐ Other |                                     |                                     | Спарі   | ici 13   | 0.                             | u i oroigi  | . Tromman Trococanig                                     |
| Other (If                    | f debtor is not<br>s box and stat |                           |  |                                   |  |                                     |                                     |   |  |                                | e of Debts  |  |
| Chock this                   | o con una sua                     | e type or emi             | ,  |                                   |  | empt Entity                         |                                     | ■ Debts a   | are primarily co   |                                | k one box)  | ☐ Debts are primarily                                    |
|                              |                                   |                           |  | und                               | otor is a tax-<br>er Title 26              | exempt orgof the Unite              | anization<br>d States               | defined<br>"incuri  | d in 11 U.S.C. §<br>red by an indivi<br>onal, family, or | § 101(8) as<br>idual primarily | y for       | business debts.  |
|                              |                                   | Filing F                  | ee (Check o                                    | ne box)                           |  |                                     | Chec                                | k one box:  |  | Chapter 11                     | Debtors     |  |
| Full Fili                    | ng Fee attac                      | hed                       |  |                                   |  |                                     |                                     |   |  |                                |             | in 11 U.S.C. § 101(51D).<br>ned in 11 U.S.C. § 101(51D). |
| attach si                    | gned applic                       | ation for the             | nents (applic<br>e court's con<br>istallments. | sideration                        | certifying t                               | hat the deb                         | tor                                 | k if:<br>Debtor's   | aggregate nor  | ncontingent l                  | liquidated  | debts (excluding debts owed                              |
| ☐ Filing F                   | ee waiver re                      | quested (ap               | plicable to o                                  | hapter 7 i                        | ndividuals (                               | only). Must                         | Chec                                | to insider<br>k all applica   | s or affiliates) able boxes:                             | are less that                  | n \$2,190,0 | J00.   |
| attach si                    | gned applic                       | ation for the             | e court's con                                  | sideration                        | . See Official                             | Form 3B.                            |                                     | A plan is Acceptan  | being filed w  | n were solici                  | ited prepet | tition from one or more .S.C. § 1126(b).                 |
| Statistical/A                |                                   |                           |  | 6 11                              | 9  |                                     | 11.                                 |   |  | THIS                           | SPACE IS    | S FOR COURT USE ONLY                                     |
| ■ Debtor e                   | estimates tha                     | it, after any             | be available<br>exempt prop<br>for distribute  | perty is ex                       | cluded and                                 | administrat                         |                                     | es paid,  |  |                                |             |  |
| Estimated N                  | _                                 | _                         | _  | _                                 | _  | _                                   | _                                   | _   | _  |                                |             |  |
| 1-<br>49                     | □<br>50-<br>99                    | 100-<br>199               | □<br>200-<br>999                               | 1,000-<br>5,000                   | 5,001-<br>10,000                           | 10,001-<br>25,000                   | 25,001-<br>50,000                   | 50,001-<br>100,000  | OVER<br>100,000  |                                |             |  |
| Estimated A                  |                                   |                           | П  | П                                 | П  | П                                   | П                                   |   | П  |                                |             |  |
| \$0 to<br>\$50,000           | \$50,001 to<br>\$100,000          | \$100,001 to<br>\$500,000 | \$500,001<br>to \$1<br>million                 | \$1,000,001<br>to \$10<br>million | \$10,000,001<br>to \$50<br>million         | \$50,000,001<br>to \$100<br>million | \$100,000,00<br>to \$500<br>million | \$500,000,001<br>to \$1 billion   |  |                                |             |  |
| Estimated L  \$0 to \$50,000 | \$50,001 to \$100,000             | \$100,001 to<br>\$500,000 | \$500,001<br>to \$1<br>million                 | \$1,000,001<br>to \$10<br>million | \$10,000,001<br>to \$50<br>million         | \$50,000,001<br>to \$100<br>million | \$100,000,00<br>to \$500<br>million | \$500,000,001<br>to \$1 billion   |  |                                |             |  |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 2 of 38

| B1 (Official For                             | m 1)(1/08)  | Page 2 01 38  | Page 2  |
|--|---|---|---|
| Voluntar                                     | y Petition  | Name of Debtor(s): Fink, Kelly J.   |   |
| (This page mu                                | ust be completed and filed in every case)   | i liik, iteliy o.   |   |
|  | All Prior Bankruptcy Cases Filed Within Las   | 8 Years (If more than two,  | attach additional sheet)  |
| Location<br>Where Filed:                     | - None -  | Case Number:  | Date Filed:   |
| Location<br>Where Filed:                     |   | Case Number:  | Date Filed:   |
|  | ending Bankruptcy Case Filed by any Spouse, Partner, or   | Affiliate of this Debtor (If  | more than one, attach additional sheet)   |
| Name of Debt - None -                        | tor:  | Case Number:  | Date Filed:   |
| District:                                    |   | Relationship:   | Judge:  |
|  | Exhibit A   | (To be completed if debter is a   | Exhibit B n individual whose debts are primarily consumer debts.)   |
| forms 10K a<br>pursuant to s<br>and is reque | pleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)  A is attached and made a part of this petition. | I, the attorney for the petition have informed the petitioner 12, or 13 of title 11, United under each such chapter. If required by 11 U.S.C. §342:  X /s/ Marilyn Barton | oner named in the foregoing petition, declare that I rethat [he or she] may proceed under chapter 7, 11, States Code, and have explained the relief available urther certify that I delivered to the debtor the notice (b).  March 28, 2009 |
|  |   | Signature of Attorney for<br>Marilyn Barton #1  |   |
|  | Exh   | l<br>ibit C   |   |
|  | or own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.   | pose a threat of imminent and i   | dentifiable harm to public health or safety?  |
|  |   | ibit D  |   |
| _  | leted by every individual debtor. If a joint petition is filed, ea<br>D completed and signed by the debtor is attached and made   | -   | d attach a separate Exhibit D.)   |
| If this is a join                            |   | a part of this petition.  |   |
| _  | D also completed and signed by the joint debtor is attached a   | and made a part of this petition  | on.   |
|  | Information Regardin  | g the Debtor - Venue  |   |
| _  | (Check any ap   | •   | · 1   |
| •  | Debtor has been domiciled or has had a residence, princip<br>days immediately preceding the date of this petition or for  |   |   |
|  | There is a bankruptcy case concerning debtor's affiliate, go  | eneral partner, or partnership  | pending in this District.   |
|  | Debtor is a debtor in a foreign proceeding and has its princ<br>this District, or has no principal place of business or assets<br>proceeding [in a federal or state court] in this District, or the<br>sought in this District.                               | in the United States but is a   | defendant in an action or   |
|  | Certification by a Debtor Who Reside<br>(Check all app  |   | al Property   |
|  | Landlord has a judgment against the debtor for possession   |   | checked, complete the following.)   |
|  | (Name of landlord that obtained judgment)   |   |   |
|  |   |   |   |
|  |   |   |   |
|  |   |   |   |
|  | (Address of landlord)   | <u> </u>  |   |
|  | Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment   |   |   |
|  | Debtor has included in this petition the deposit with the coafter the filing of the petition.   |   | •   |
|  | Debtor certifies that he/she has served the Landlord with t   | his certification. (11 U.S.C. §   | § 362(l)).  |

# B1 (Official Form 1)(1/08)

**Voluntary Petition** 

(This page must be completed and filed in every case)

### Signatures

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

#### X /s/ Kelly J. Fink

Signature of Debtor Kelly J. Fink

 $\mathbf{X}$ 

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

March 28, 2009

Date

#### Signature of Attorney\*

### X /s/ Marilyn Barton

Signature of Attorney for Debtor(s)

#### Marilyn Barton #128-066

Printed Name of Attorney for Debtor(s)

#### Marilyn Barton #128-066

Firm Name

1606 Champlain St. Ottawa, IL 61350

Address

#### (815) 434-1166

Telephone Number

#### March 28, 2009

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

#### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Name of Debtor(s):

Fink, Kelly J.

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

X

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 4 of 38

B 1D(Official Form 1, Exhibit D) (12/08)

# **United States Bankruptcy Court** Northern District of Illinois

| In re | Kelly J. Fink |           | Case No. |   |
|-------|---------------|-----------|----------|---|
|       |               | Debtor(s) | Chapter  | 7 |

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 5 of 38

| B 1D(Official Form 1, Exhibit D) (12/08) - Cont.  ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or                            |
|---|
| mental deficiency so as to be incapable of realizing and making rational decisions with respect to  |
| financial responsibilities.);   |
| ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being   |
| unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or   |
| through the Internet.);   |
| ☐ Active military duty in a military combat zone.   |
| ☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district. |
| I certify under penalty of perjury that the information provided above is true and correct.   |
| Signature of Debtor: /s/ Kelly J. Fink Kelly J. Fink  |
| Date: March 28, 2009  |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 6 of 38

B6 Summary (Official Form 6 - Summary) (12/07)

# **United States Bankruptcy Court Northern District of Illinois**

| In re | Kelly J. Fink |        | Case No |   |  |
|-------|---------------|--------|---------|---|--|
| _     |               | Debtor | ,       |   |  |
|       |               |        | Chapter | 7 |  |
|       |               |        |         | · |  |

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE   | ATTACHED<br>(YES/NO) | NO. OF<br>SHEETS | ASSETS            | LIABILITIES | OTHER    |
|--|----------------------|------------------|-------------------|-------------|----------|
| A - Real Property  | Yes                  | 1                | 90,000.00         |             |          |
| B - Personal Property  | Yes                  | 3                | 13,698.00         |             |          |
| C - Property Claimed as Exempt   | Yes                  | 1                |                   |             |          |
| D - Creditors Holding Secured Claims   | Yes                  | 1                |                   | 95,073.00   |          |
| E - Creditors Holding Unsecured<br>Priority Claims (Total of Claims on Schedule E) | Yes                  | 1                |                   | 0.00        |          |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                              | Yes                  | 4                |                   | 76,524.00   |          |
| G - Executory Contracts and<br>Unexpired Leases                                    | Yes                  | 1                |                   |             |          |
| H - Codebtors  | Yes                  | 1                |                   |             |          |
| I - Current Income of Individual<br>Debtor(s)                                      | Yes                  | 1                |                   |             | 3,026.22 |
| J - Current Expenditures of Individual<br>Debtor(s)                                | Yes                  | 1                |                   |             | 2,998.18 |
| Total Number of Sheets of ALL Schedu   | ules                 | 15               |                   |             |          |
|  | T                    | otal Assets      | 103,698.00        |             |          |
|  |                      |                  | Total Liabilities | 171,597.00  |          |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 7 of 38

Form 6 - Statistical Summary (12/07)

# **United States Bankruptcy Court Northern District of Illinois**

| In re | Kelly J. Fink |        | Case No. |   |  |
|-------|---------------|--------|----------|---|--|
| -     | -             | Debtor |          |   |  |
|       |               |        | Chapter  | 7 |  |

# STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

| Type of Liability   | Amount |
|---|--------|
| Domestic Support Obligations (from Schedule E)  | 0.00   |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)  | 0.00   |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) | 0.00   |
| Student Loan Obligations (from Schedule F)  | 0.00   |
| Domestic Support, Separation Agreement, and Divorce Decree<br>Obligations Not Reported on Schedule E                | 0.00   |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)                           | 0.00   |
| TOTAL   | 0.00   |

#### State the following:

| Average Income (from Schedule I, Line 16)  | 3,026.22 |
|--|----------|
| Average Expenses (from Schedule J, Line 18)  | 2,998.18 |
| Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20) | 3,979.96 |

#### State the following:

|  |      | -         |
|--|------|-----------|
| Total from Schedule D, "UNSECURED PORTION, IF ANY" column                  |      | 1,057.00  |
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column             | 0.00 |           |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column |      | 0.00      |
| 4. Total from Schedule F   |      | 76,524.00 |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)               |      | 77,581.00 |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Page 8 of 38 Document

B6A (Official Form 6A) (12/07)

| In re | Kelly J. Fink | Case No. |
|-------|---------------|----------|
| •     |               | Dehtor   |

#### SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

| Husband, Current Value of Debtor's Wife. Current Value of Debtor's Interest in Amo | D | Description and Location of Property | Nature of Debtor's<br>Interest in Property | Wife,<br>Joint, or | Debtor's Interest in<br>Property, without<br>Deducting any Secured | Amount of<br>Secured Claim |
|--|---|--------------------------------------|--|--------------------|--|----------------------------|

Sub-Total > 90,000.00 (Total of this page)

90,000.00 Total >

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 9 of 38

B6B (Official Form 6B) (12/07)

| In re | Kelly J. Fink | ,      | Case No |
|-------|---------------|--------|---------|
|       |               | Dehtor |         |

### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property   | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property<br>without Deducting any<br>Secured Claim or Exemption |
|-----|---|------------------|--|---|--|
| 1.  | Cash on hand  | X                |  |   |  |
| 2.  | Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives. |                  | Checking account (\$5) at Navy Federal Credit<br>Union, Lehigh Valley, PA; Checking account (\$193)<br>at Hometown National Bank, LaSalle, IL                | -   | 198.00   |
| 3.  | Security deposits with public utilities, telephone companies, landlords, and others.  | X                |  |   |  |
| 4.  | Household goods and furnishings, including audio, video, and computer equipment.  |                  | TV, VCR, microwave, stove, refrigerator, washer, dryer, couch, end and coffee tables, lamps, kitchen set, 2 beds, 4 dressers, vacuum sweeper, books, jewelry | -   | 500.00   |
| 5.  | Books, pictures and other art<br>objects, antiques, stamp, coin,<br>record, tape, compact disc, and<br>other collections or collectibles.   | X                |  |   |  |
| 6.  | Wearing apparel.  |                  | Ordinary wearing apparel   | -   | 100.00   |
| 7.  | Furs and jewelry.   | X                |  |   |  |
| 8.  | Firearms and sports, photographic, and other hobby equipment.   | X                |  |   |  |
| 9.  | Interests in insurance policies.<br>Name insurance company of each<br>policy and itemize surrender or<br>refund value of each.  | X                |  |   |  |
| 10. | Annuities. Itemize and name each issuer.  | X                |  |   |  |
|     |   |                  |  | Sub-Tota                                    | al > <b>798.00</b>   |
|     |   |                  | (Total   | of this page)                               | a1 / / 70.UU   |

**2** continuation sheets attached to the Schedule of Personal Property

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Page 10 of 38 Document

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

| In re | Kelly J. Fink | Case No. |
|-------|---------------|----------|
| _     |               | Debtor   |

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

|     |   |                  | (Continuation Sheet)   |   |   |
|-----|---|------------------|--|---|---|
|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property   | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
| 11. | Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).) | х                |  |   |   |
| 12. | Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   | Mfg.             | ement plan from employer B & B Electronics<br>with Fidelity Investments Institutional<br>rations, Boston, MA 02109 | -   | 3,900.00  |
| 13. | Stock and interests in incorporated and unincorporated businesses. Itemize.   | X                |  |   |   |
| 14. | Interests in partnerships or joint ventures. Itemize.   | X                |  |   |   |
| 15. | Government and corporate bonds and other negotiable and nonnegotiable instruments.  | X                |  |   |   |
| 16. | Accounts receivable.  | X                |  |   |   |
| 17. | Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  | X                |  |   |   |
| 18. | Other liquidated debts owed to debtor including tax refunds. Give particulars.  | X                |  |   |   |
| 19. | Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.  | X                |  |   |   |
| 20. | Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.  | X                |  |   |   |
| 21. | Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.  | X                |  |   |   |
|     |   |                  | (Tota  | Sub-Total of this page)                     | al > <b>3,900.00</b>  |

Sheet <u>1</u> of <u>2</u> continuation sheets attached to the Schedule of Personal Property

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 11 of 38

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

| In re | Kelly J. Fink | Case No. |
|-------|---------------|----------|
| _     |               |          |

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|-----|---|------------------|--------------------------------------|---|---|
| 22. | Patents, copyrights, and other intellectual property. Give particulars.   | X                |                                      |   |   |
| 23. | Licenses, franchises, and other general intangibles. Give particulars.  | X                |                                      |   |   |
| 24. | Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | X                |                                      |   |   |
| 25. | Automobiles, trucks, trailers, and other vehicles and accessories.  | 20               | 04 Buick vehicle                     | -   | 9,000.00  |
| 26. | Boats, motors, and accessories.   | X                |                                      |   |   |
| 27. | Aircraft and accessories.   | X                |                                      |   |   |
| 28. | Office equipment, furnishings, and supplies.  | X                |                                      |   |   |
| 29. | Machinery, fixtures, equipment, and supplies used in business.  | X                |                                      |   |   |
| 30. | Inventory.  | X                |                                      |   |   |
| 31. | Animals.  | X                |                                      |   |   |
| 32. | Crops - growing or harvested. Give particulars.   | X                |                                      |   |   |
| 33. | Farming equipment and implements.   | X                |                                      |   |   |
| 34. | Farm supplies, chemicals, and feed.   | X                |                                      |   |   |
| 35. | Other personal property of any kind not already listed. Itemize.  | X                |                                      |   |   |

Sub-Total > (Total of this page)

9,000.00

Total >

13,698.00

Sheet **2** of **2** continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 12 of 38

B6C (Official Form 6C) (12/07)

| In re | Kelly J. Fink | Case No. |  |
|-------|---------------|----------|--|
| •     |               | Debtor   |  |

# SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

| Debtor claims the exemptions to which debtor is entitled u (Check one box)  ☐ 11 U.S.C. §522(b)(2)  ☐ 11 U.S.C. §522(b)(3)   | Check if debte \$136,875.                        |                                  |   |  |  |  |  |
|--|--|----------------------------------|---|--|--|--|--|
| Description of Property  | Specify Law Providing<br>Each Exemption          | Value of<br>Claimed<br>Exemption | Current Value of<br>Property Without<br>Deducting Exemption |  |  |  |  |
| Real Property Residence house located in LaSalle (LaSalle County), Illinois  | 735 ILCS 5/12-901                                | 4,984.00                         | 90,000.00   |  |  |  |  |
| Checking, Savings, or Other Financial Accounts, C<br>Checking account (\$5) at Navy Federal Credit<br>Union, Lehigh Valley, PA; Checking account<br>(\$193) at Hometown National Bank, LaSalle, IL | Certificates of Deposit<br>735 ILCS 5/12-1001(b) | 198.00                           | 198.00  |  |  |  |  |
| Household Goods and Furnishings TV, VCR, microwave, stove, refrigerator, washer, dryer, couch, end and coffee tables, lamps, kitchen set, 2 beds, 4 dressers, vacuum sweeper, books, jewelry       | 735 ILCS 5/12-1001(b)                            | 500.00                           | 500.00  |  |  |  |  |
| Wearing Apparel Ordinary wearing apparel   | 735 ILCS 5/12-1001(b)                            | 100.00                           | 100.00  |  |  |  |  |
| Interests in IRA, ERISA, Keogh, or Other Pension of Retirement plan from employer B & B Electronics Mfg. with Fidelity Investments Institutional Operations, Boston, MA 02109                      | or Profit Sharing Plans<br>735 ILCS 5/12-704     | 3,900.00                         | 3,900.00  |  |  |  |  |

Total: 9,682.00 94,698.00

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 13 of 38

B6D (Official Form 6D) (12/07)

| In re | Kelly J. Fink | Case No | _ |
|-------|---------------|---------|---|
| _     |               | Debtor  |   |

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| <b></b>  | _               | _   |  |             |             | _         |  |                                 |
|--|-----------------|-----|--|-------------|-------------|-----------|--|---------------------------------|
| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | C O D E B T O R | Hu: | sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN | NT I NG E N | DZLLQULDAT  | DISPUTED  | AMOUNT OF<br>CLAIM<br>WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF<br>ANY |
| Account No. xxxxxxx6649  |                 |     | 2007   | ] ⊺ [       | T<br>E<br>D |           |  |                                 |
| Citi Mortgage<br>P. O. Box 183040<br>Columbus, OH 43218  |                 | -   | Mortgage on residence house  Residence house located in LaSalle (LaSalle County), Illinois  Value \$ 90,000,00                       | _           | X           |           | 05 040 00  | 0.00                            |
| Account No. xxxxxxxxxx6403   | ┢               | Н   | Value \$ 90,000.00<br>2006   | Н           |             | Н         | 85,016.00  | 0.00                            |
| Navy Federal Credit Union P. O. box 25109 Lehigh Valley, PA 18002                                    |                 | -   | Loan for 2004 Buick vehicle  2004 Buick vehicle  Value \$ 9,000.00   | -           | X           |           | 10,057.00  | 1,057.00                        |
| Account No.  | ┢               | Н   | value \$ 9,000.00  | Н           |             | H         | 10,057.00  | 1,057.00                        |
| Account No.  |                 |     | Value \$   | -           |             |           |  |                                 |
| Account No.  |                 |     |  |             |             |           |  |                                 |
|  |                 |     | Value \$   | -           |             |           |  |                                 |
| O continuation sheets attached Subtotal (Total of this page)   |                 |     |  |             |             | 95,073.00 | 1,057.00   |                                 |
| Total (Report on Summary of Schedules)   |                 |     |  |             |             | 95,073.00 | 1,057.00   |                                 |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 14 of 38

B6E (Official Form 6E) (12/07)

| •     |               |         |
|-------|---------------|---------|
| In re | Kelly J. Fink | Case No |
| -     |               | Debtor  |

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total

| Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitl priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report total also on the Statistical Summary of Certain Liabilities and Related Data.    | led to<br>t this |
|---|------------------|
| ■ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.   |                  |
| TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)   |                  |
| ☐ Domestic support obligations  Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible re of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).   | elativ           |
| ☐ Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment trustee or the order for relief. 11 U.S.C. § 507(a)(3).   | t of             |
| ☐ Wages, salaries, and commissions  Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whicheve occurred first, to the extent provided in 11 U.S.C. § 507(a)(4). |                  |
| ☐ Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of bus whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).   | sines            |
| ☐ Certain farmers and fishermen  Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).   |                  |
| Deposits by individuals  Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).   | t                |
| ☐ Taxes and certain other debts owed to governmental units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).   |                  |
| ☐ Commitments to maintain the capital of an insured depository institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Ference System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).  | dera             |
| ☐ Claims for death or personal injury while debtor was intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).  |                  |
|   |                  |

<sup>\*</sup> Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 15 of 38

B6F (Official Form 6F) (12/07)

| In re | Kelly J. Fink | Case No. |  |
|-------|---------------|----------|--|
| -     |               | Debtor   |  |

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

| Check this box if debtor has no creditors holding unsecure  | ea c            | тапп                   | ns to report on this Schedule F. |           |            |     |                            |                 |
|---|-----------------|------------------------|----------------------------------|-----------|------------|-----|----------------------------|-----------------|
| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | C O D E B T O R | Hu<br>H<br>W<br>J<br>C | IS SUBJECT TO SETOFF, SO STATE.  | CONTINGEN | UNLIQUIDAT | L   | I<br>S<br>P<br>U<br>T<br>E | AMOUNT OF CLAIM |
| Account No. xxxx9621  |                 |                        | 2008<br>Dental services          | T         | E<br>D     |     |                            |                 |
| Alliance Dental Group<br>210 N. columbia Ave.<br>Oglesby, IL 61348                                |                 | -                      |                                  |           | х          |     |                            | 40.00           |
| Account No. xxxxxxxxxxxxxxx3192   |                 |                        | 2008                             |           | r          | t   | †                          |                 |
| American Dream Financing<br>P. o. box 790370<br>Saint Louis, MO 63179                             |                 | -                      | Loan                             |           | x          |     |                            | 1,900.00        |
| Account No. xxxx-xxxx-6177  Chase P. O. Box 15153 Wilmington, DE 19886                            |                 | -                      | 2006<br>Consumer goods           |           | x          |     |                            | 3,210.00        |
| Account No. xxxx-xxxx-xxxx-5002   |                 |                        | 2005                             |           |            | t   | †                          |                 |
| Citi<br>P. O. Box 6500<br>Sioux Falls, SD 57117   |                 | -                      | Consumer goods                   |           | x          |     |                            | 1,075.00        |
| _3 _ continuation sheets attached   |                 |                        |                                  | Subt      |            |     | $\uparrow$                 | 6,225.00        |
|   |                 |                        | (Total of t                      | nis i     | Dag        | zе. | ) [                        |                 |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 16 of 38

B6F (Official Form 6F) (12/07) - Cont.

| In re | Kelly J. Fink | Case No | _ |
|-------|---------------|---------|---|
| _     |               | Debtor  |   |

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

| CREDITOR'S NAME,   | 000      |         | usband, Wife, Joint, or Community                               | C O N T     | U<br>N       | D      |                 |
|--|----------|---------|---|-------------|--------------|--------|-----------------|
| MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | H W J C |   | NT I NG E N | UNLIQUIDATED | SPUTED | AMOUNT OF CLAIM |
| Account No. xxxx-xxxx-xxxx-0521  |          |         | 2004  | Т           | T<br>E       |        |                 |
| Citi<br>P. O. Box 6500<br>Sioux Falls, SD 57117                                  |          | -       | Consumer goods  |             | X            |        |                 |
|  |          |         |   |             |              |        | 800.00          |
| Account No. xxxxxxxxxx3490   |          |         | 2008<br>  Loan  |             |              |        |                 |
| Citifinancial Services, Inc.<br>3935 Frontage Rd.<br>Peru, IL 61354              |          | -       | Loan  |             | x            |        |                 |
|  |          |         |   |             |              |        | 18,257.00       |
| Account No. xxx2089  |          |         | 2006  |             |              |        |                 |
| Encore<br>400 N. Rogers Rd.<br>P. O. Box 3330<br>Olathe, KS 66063                |          | -       | Consumer goods  |             | x            |        | 1,030.00        |
| Account No. <b>09SC 54</b>   |          |         | 2009  |             |              |        |                 |
| Heavner, Scott, Byers & Mihlar, Att<br>P. O. Box 740<br>Decatur, IL 62525        |          | -       | Attorneys collecting for debt owing Citifinancial Services Inc. |             | x            |        | Unknown         |
| Account No. xx5428   |          | H       | 2008  | T           |              | H      |                 |
| Hospital Radiology<br>8 W U. S. Hwy 6<br>Peru, IL 61354                          |          | _       | Hospital services   |             | x            |        | 100.00          |
| Sheet no1 of _3 sheets attached to Schedule of                                   |          |         |   | Subt        |              |        | 20,187.00       |
| Creditors Holding Unsecured Nonpriority Claims                                   |          |         | (Total of t   | his         | pag          | e)     | 20,107.00       |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Page 17 of 38 Document

 $B6F\ (Official\ Form\ 6F)\ (12/07)$  - Cont.

| In re | Kelly J. Fink | Case No |  |
|-------|---------------|---------|--|
| _     |               | Debtor  |  |

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

|  | _        | 11          | sband, Wife, Joint, or Community  | Ic        | Τυ   | D      | <u> </u>        |
|--|----------|-------------|---|-----------|------|--------|-----------------|
| (See instructions above.)  | CODEBTOR | H<br>W<br>J | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | CONTLNGEN | Q    | SPUTED | AMOUNT OF CLAIM |
| Account No. xxxx-xxxx-y458   |          |             | 2004  |           | E    |        |                 |
| HSBC<br>1352 Charwood rd.<br>Hanover, MD 21076                       |          | -           | Consumer goods  |           | x    |        | 1,100.00        |
| Account No. xxxxxxxx0001   |          |             | 2008  | +         | +    | -      | ,               |
| Illinois Valley Community Hospital<br>925 West St.<br>Peru, IL 61354 |          | _           | Medical services  |           | x    |        | 100.00          |
| Account No. xxxx-xxxx-6478   |          |             | 2007  |           | _    |        | 100.00          |
| Navy Federal Credit Union P. O. Box 24600 Merrifield, VA 22119       |          | _           | 2007<br>Consumer goods  |           | x    |        | 5,500.00        |
| Account No. Fxxxxxxx5995   |          |             | 2008  |           | +    |        | ·               |
| Ottawa Regional Hospital<br>1100 E. Norris Dr.<br>Ottawa, IL 61350   |          | -           | Hospital services   |           | x    |        | 280.00          |
| Account No. x9811  |          |             | 2008  | +         |      |        | 200.00          |
| Peru Anesthesia<br>925 West St.<br>Peru, IL 61354                    |          | _           | Medical services  |           | x    |        | 325.00          |
| Sheet no. <b>2</b> of <b>3</b> sheets attached to Schedule of        |          |             |   | Sub       | tota | ıl     |                 |
| Creditors Holding Unsecured Nonpriority Claims                       |          |             | (Total of   | this      | pag  | ge)    | 7,305.00        |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Page 18 of 38 Document

 $B6F\ (Official\ Form\ 6F)\ (12/07)$  - Cont.

| In re | Kelly J. Fink | Case No |  |
|-------|---------------|---------|--|
|       |               | Debtor  |  |

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

| CREDITOR'S NAME,   | C        | Hu               | sband, Wife, Joint, or Community  | C          | U            | D        |                 |
|--|----------|------------------|---|------------|--------------|----------|-----------------|
| MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | C<br>A<br>A<br>H | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM<br>IS SUBJECT TO SETOFF, SO STATE. | CONTINGENT | L L QU L D A | DISPUTED | AMOUNT OF CLAIM |
| Account No. 18   |          |                  | 2009  | Т          | T<br>E       |          |                 |
| Radiation Oncology of Northern IL<br>Dept. CH19108<br>Palatine, IL 60055         |          | -                | Medical services  |            | X            |          | 270.00          |
| Account No. xxxxx4358  | _        | H                | 2004  | +          |              | ┝        |                 |
| Account No. XXXXX4336  |          |                  | Student loan  |            |              |          |                 |
| Sallie Mae   |          |                  |   |            |              |          |                 |
| P. O. Box 9500   |          | -                |   |            | X            |          |                 |
| Wilkes Barre, PA 18773   |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          | 42,537.00       |
| Account No.  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
| Account No.  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
| Account No.  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          |                  |   |            |              |          |                 |
|  |          | L                |   |            |              | L        |                 |
| Sheet no. <b>_3</b> of <b>_3</b> sheets attached to Schedule of                  |          |                  |   | Subt       | ota          | 1        | 42,807.00       |
| Creditors Holding Unsecured Nonpriority Claims                                   |          |                  | (Total of t   | his j      | pag          | ge)      | 42,007.00       |
|  |          |                  |   | T          | ota          | ıl       |                 |
|  |          |                  | (Report on Summary of So  | ched       | lule         | es)      | 76,524.00       |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 19 of 38

B6G (Official Form 6G) (12/07)

| In re | Kelly J. Fink | Case No     |
|-------|---------------|-------------|
| -     |               | ,<br>Debtor |

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

■ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract. Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 20 of 38

B6H (Official Form 6H) (12/07)

| In re | Kelly J. Fink | Case No |
|-------|---------------|---------|
|       |               | Debtor  |

#### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

# Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 21 of 38

**B6I (Official Form 6I) (12/07)** 

| In re | Kelly J. Fink |           | Case No. |  |
|-------|---------------|-----------|----------|--|
|       |               | Debtor(s) |          |  |

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

| Debtor's Marital Status:         | DEPENDENTS OF DEBT  | TOR AND SP      | POUSE    |             |               |
|----------------------------------|---|-----------------|----------|-------------|---------------|
|                                  | RELATIONSHIP(S):  | AGE(S):         |          |             |               |
| Divorced                         | Son   | 13              |          |             |               |
| EI                               | Daughter  | 14              | CDOLICE  |             |               |
| Employment:                      | DEBTOR  |                 | SPOUSE   |             |               |
| Occupation                       | D O D EL  |                 |          |             |               |
| Name of Employer                 | B & B Electronics   |                 |          |             |               |
| How long employed                |   |                 |          |             |               |
| Address of Employer              | Ottowo II 61250   |                 |          |             |               |
| INCOME: (Estimate of every se    | Ottawa, IL 61350 or projected monthly income at time case filed)  |                 | DEBTOR   |             | SPOUSE        |
|                                  | and commissions (Prorate if not paid monthly)                     | \$              | 2,998.40 | \$          | SPOUSE<br>N/A |
| 2. Estimate monthly overtime     | and commissions (Frorate if not paid monthly)                     | \$ <del>_</del> | 0.00     | \$ <u></u>  | N/A           |
| 2. Estimate monthly overtime     |   | Ψ               | 0.00     | Ψ           | 14/71         |
| 3. SUBTOTAL                      |   | \$              | 2,998.40 | \$          | N/A           |
| 3. SUBTOTAL                      |   | Ψ_              | _,,      | Ψ_          |               |
| 4. LESS PAYROLL DEDUCTI          | ONS   |                 |          |             |               |
| a. Payroll taxes and social      |   | \$              | 420.00   | \$          | N/A           |
| b. Insurance                     |   | \$              | 70.28    | \$          | N/A           |
| c. Union dues                    |   | \$              | 0.00     | \$          | N/A           |
| d. Other (Specify):              | I01K deduction  | \$              | 179.90   | \$          | N/A           |
| _                                |   | \$              | 0.00     | \$          | N/A           |
| E CLIDTOTAL OF DAVIDOLL          | DEDITOTIONS   | •               | 670.18   | \$          | N/A           |
| 5. SUBTOTAL OF PAYROLL           | DEDUCTIONS  | Ψ_              | 0.0.10   | Ψ           |               |
| 6. TOTAL NET MONTHLY TA          | AKE HOME PAY  | \$              | 2,328.22 | <b>\$</b> _ | N/A           |
| 7. Regular income from operation | on of business or profession or farm (Attach detailed statement)  | \$              | 0.00     | \$          | N/A           |
| 8. Income from real property     |   | \$              | 0.00     | \$          | N/A           |
| 9. Interest and dividends        |   | \$              | 0.00     | \$          | N/A           |
|                                  | pport payments payable to the debtor for the debtor's use or that | of              |          |             |               |
| dependents listed above          |   | \$              | 698.00   | \$          | N/A           |
| 11. Social security or governme  |   | ¢               | 0.00     | ¢           | N/A           |
| (Specify):                       | <del></del>   | \$ <u></u>      | 0.00     | \$ <u></u>  | N/A           |
| 12. Pension or retirement incom  | 0   | <u>\$</u> _     | 0.00     | φ <u> </u>  | N/A           |
| 13. Other monthly income         | e   | Ψ               | 0.00     | Ψ           | 11/71         |
| (Specify):                       |   | \$              | 0.00     | \$          | N/A           |
|                                  |   | \$              | 0.00     | \$          | N/A           |
|                                  |   |                 |          |             |               |
| 14. SUBTOTAL OF LINES 7 T        | HROUGH 13   | \$              | 698.00   | \$_         | N/A           |
| 15. AVERAGE MONTHLY IN           | COME (Add amounts shown on lines 6 and 14)                        | \$_             | 3,026.22 | \$_         | N/A           |
| 16. COMBINED AVERAGE M           | ONTHLY INCOME: (Combine column totals from line 15)               |                 | \$       | 3,026       | .22           |

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 22 of 38

B6J (Official Form 6J) (12/07)

| In re | Kelly J. Fink |           | Case No. |  |
|-------|---------------|-----------|----------|--|
|       | •             | Debtor(s) |          |  |

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case.

| filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22 | The average    |               |
|---|----------------|---------------|
| ☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Comple expenditures labeled "Spouse."   | ete a separate | e schedule of |
| 1. Rent or home mortgage payment (include lot rented for mobile home)   | \$             | 781.90        |
| a. Are real estate taxes included? Yes X No   | -              |               |
| b. Is property insurance included? Yes X No No  |                |               |
| 2. Utilities: a. Electricity and heating fuel   | \$             | 250.00        |
| b. Water and sewer  | \$             | 50.00         |
| c. Telephone  | \$             | 170.00        |
| d. Other Garbage and cable  | \$             | 45.00         |
| 3. Home maintenance (repairs and upkeep)  | \$             | 50.00         |
| 4. Food   | \$             | 400.00        |
| 5. Clothing   | \$             | 20.00         |
| 6. Laundry and dry cleaning   | \$             | 0.00          |
| 7. Medical and dental expenses  | \$             | 350.00        |
| 8. Transportation (not including car payments)  | \$             | 200.00        |
| 9. Recreation, clubs and entertainment, newspapers, magazines, etc.   | \$             | 25.00         |
| 10. Charitable contributions  | \$             | 0.00          |
| 11. Insurance (not deducted from wages or included in home mortgage payments)   |                | _             |
| a. Homeowner's or renter's  | \$             | 0.00          |
| b. Life   | \$             | 0.00          |
| c. Health   | \$             | 0.00          |
| d. Auto   | \$             | 96.08         |
| e. Other  | \$             | 0.00          |
| 12. Taxes (not deducted from wages or included in home mortgage payments)   |                | _             |
| (Specify)   | \$             | 0.00          |
| 13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)  |                |               |
| a. Auto   | \$             | 385.96        |
| b. Other Student loan   | \$             | 102.16        |
| c. Other 401 K Loan   | \$             | 30.08         |
| 14. Alimony, maintenance, and support paid to others  | \$             | 0.00          |
| 15. Payments for support of additional dependents not living at your home   | \$             | 0.00          |
| 16. Regular expenses from operation of business, profession, or farm (attach detailed statement)  | \$             | 0.00          |
| 17. Other School expenses   | \$             | 42.00         |
| Other   | \$             | 0.00          |
| 18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)                                  | \$             | 2,998.18      |
| 19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:  | _              |               |
| 20. STATEMENT OF MONTHLY NET INCOME   |                |               |
| a. Average monthly income from Line 15 of Schedule I  | \$             | 3,026.22      |
| b. Average monthly expenses from Line 18 above  | \$             | 2,998.18      |
| c. Monthly net income (a. minus b.)   | \$             | 28.04         |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 23 of 38

B6 Declaration (Official Form 6 - Declaration). (12/07)

# **United States Bankruptcy Court Northern District of Illinois**

| In re  | Kelly J. Fink  |                                       |                          | Case No.     |                  |  |
|--|----------------|---------------------------------------|--------------------------|--------------|------------------|--|
|  |                |                                       | Debtor(s)                | Chapter      | 7                |  |
|  |                |                                       |                          |              |                  |  |
|  |                |                                       |                          |              |                  |  |
|  | 70             |                                       | INIC DEDECORIC CA        | OHEDIH:      | <b>B</b> G       |  |
| DECLARATION CONCERNING DEBTOR'S SCHEDULES  |                |                                       |                          |              |                  |  |
|  |                |                                       |                          |              |                  |  |
|  | DEC            | LARATION UNDER PENALTY (              | OF PERJURY BY INDIV      | IDUAL DEI    | BTOR             |  |
|  |                |                                       |                          |              |                  |  |
|  |                |                                       |                          |              |                  |  |
|  | L dooloro una  | or populty of porium that I have re   | ad the foregoing summers | and cahadul  | as consisting of |  |
| I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of |                |                                       |                          |              |                  |  |
|  | sneets, and th | it they are true and correct to the o | est of my knowledge, mis | inacion, and | . Control        |  |
|  |                |                                       |                          |              |                  |  |
|  |                |                                       |                          |              |                  |  |
| Date   | March 28, 2009 | Signature                             | /s/ Kelly J. Fink        |              |                  |  |
|  |                |                                       | Kelly J. Fink            |              |                  |  |
|  |                |                                       | Debtor                   |              |                  |  |

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 24 of 38

B7 (Official Form 7) (12/07)

# **United States Bankruptcy Court Northern District of Illinois**

| In re | Kelly J. Fink |           | Case No. |   |
|-------|---------------|-----------|----------|---|
|       |               | Debtor(s) | Chapter  | 7 |

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

\$37,734.00 Gross wages for 2007 \$36,136.00 Gross wages for 2008

#### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

#### None

Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts*. List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS DATES OF AMOUNT STILL OF CREDITOR PAYMENTS AMOUNT PAID OWING

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT
DATES OF PAID OR
PAYMENTS/ VALUE OF AMOUNT STILL
NAME AND ADDRESS OF CREDITOR TRANSFERS TRANSFERS OWING

None

c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND

AMOUNT STILL

RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

OWING

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT

AND CASE NUMBER

NATURE OF PROCEEDING

Citifinancial Services, Inc. vs.

Kelly J. Fink, #09 SC 54

COURT OR AGENCY

AND LOCATION

Circuit Court of LaSalle County,
Ottawa, IL 61350

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DESCRIPTION AND VALUE OF PROPERTY

DATE OF SEIZURE

#### 5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN

DESCRIPTION AND VALUE OF PROPERTY

#### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF

NAME AND ADDRESS OF ASSIGNEE

ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND LOCATION

NAME AND ADDRESS OF CUSTODIAN

OF COURT CASE TITLE & NUMBER DATE OF ORDER

DESCRIPTION AND VALUE OF

3

**PROPERTY** 

7. Gifts

None

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION RELATIONSHIP TO DEBTOR, IF ANY

DESCRIPTION AND DATE OF GIFT

VALUE OF GIFT

8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

### 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE. RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

### Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 27 of 38

None b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled

trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

#### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

#### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS

DATE OF TRANSFER OR SURRENDER, IF ANY

#### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

#### 14. Property held for another person

None L

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

PERTY LOCATION OF PROPERTY

#### 15. Prior address of debtor

None

If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS NAME USED DATES OF OCCUPANCY

### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

5

#### 18. Nature, location and name of business

None

NAME

a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN ADDRESS

NATURE OF BUSINESS ENDING DATES

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or

# Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 29 of 38

Document Page 29 of 38

owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

None a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS DATES SERVICES RENDERED

None b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME ADDRESS DATES SERVICES RENDERED

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME ADDRESS

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS DATE ISSUED

#### 20. Inventories

None a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DOLLAR AMOUNT OF INVENTORY

DATE OF INVENTORY

INVENTORY SUPERVISOR

(Specify cost, market or other basis)

None b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS

#### 21. Current Partners, Officers, Directors and Shareholders

None a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS NATURE OF INTEREST PERCENTAGE OF INTEREST

None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE
OF STOCK OWNERSHIP

#### 22. Former partners, officers, directors and shareholders

None a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME ADDRESS DATE OF WITHDRAWAL

6

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 30 of 38

None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

miniculately preceding the commencement of this case.

NAME AND ADDRESS TITLE DATE OF TERMINATION

#### 23. Withdrawals from a partnership or distributions by a corporation

None If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation

in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR

DATE AND PURPOSE OF WITHDRAWAL

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

#### 24. Tax Consolidation Group.

None If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated

group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

#### 25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date March 28, 2009 Signature /s/ Kelly J. Fink

Kelly J. Fink Debtor

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 31 of 38

B8 (Form 8) (12/08)

# United States Bankruptcy Court Northern District of Illinois

| T. Kaller I. Finds   |  | G. N                      |                                   |
|--|--|---------------------------|-----------------------------------|
| In re Kelly J. Fink  | Debtor(s)                              | Case No.<br>Chapter       | 7                                 |
|  | ,                                      |                           |                                   |
| CHAPTER 7 INDI   | VIDUAL DEBTOR'S STATEM                 | MENT OF INTEN             | NTION                             |
| <b>PART A</b> - Debts secured by property of the   | ne estate. (Part A must be fully co    | ompleted for <b>EAC</b> ! | <b>H</b> debt which is secured by |
| property of the estate. Attach add   |  | •                         | •                                 |
| Property No. 1   |  |                           |                                   |
| Creditor's Name:   | Describe Pron                          | erty Securing Debt        | <b>·</b> •                        |
| Citi Mortgage  |  |                           | e (LaSalle County), Illinois      |
| Property will be (check one):  |  |                           |                                   |
| ☐ Surrendered  | ■ Retained                             |                           |                                   |
| If retaining the property, I intend to (check at I   | least one):                            |                           |                                   |
| ☐ Redeem the property  ■ Reaffirm the debt   |  |                           |                                   |
| ☐ Other. Explain   | (for example, avoid lien using 11      | IISC 8 522(f))            |                                   |
| •  | (for example, avoid hen using 11       | O.S.C. § 322(1)).         |                                   |
| Property is (check one):   |  |                           |                                   |
| ■ Claimed as Exempt  | ☐ Not claimed                          | as exempt                 |                                   |
| Property No. 2   |  |                           |                                   |
| Creditor's Name:   | Describe Prop                          | erty Securing Debt        | t:                                |
| Navy Federal Credit Union  | 2004 Buick veh                         |                           | •                                 |
| Property will be (check one):  |  |                           |                                   |
| ☐ Surrendered  | ■ Retained                             |                           |                                   |
| If retaining the property, I intend to (check at I   | least one):                            |                           |                                   |
| ☐ Redeem the property  | ,                                      |                           |                                   |
| ■ Reaffirm the debt  |  |                           |                                   |
| ☐ Other. Explain   | (for example, avoid lien using 11      | U.S.C. § 522(f)).         |                                   |
| Property is (check one):   |  |                           |                                   |
| ■ Claimed as Exempt  | ☐ Not claimed                          | as exempt                 |                                   |
| DADT D. Damanal manager and in state and and   |  | + D                       | - 4 C 1 1                         |
| <b>PART B</b> - Personal property subject to unexpire Attach additional pages if necessary.) | red leases. (All three columns of Part | D must be complete        | ed for each unexpired lease.      |
|  |  |                           |                                   |
| Property No. 1   |  |                           |                                   |

**Describe Leased Property:** 

Lessor's Name:

-NONE-

Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2):

□ NO

□ YES

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 32 of 38

B8 (Form 8) (12/08) Page 2

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

Date March 28, 2009 Signature /s/ Kelly J. Fink
Kelly J. Fink

Debtor

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 33 of 38
United States Bankruptcy Court
Northern District of Illinois

| In re       | Kelly J. Fink   |  |   | Case No  |  |                |
|-------------|---|--|---|--|--|----------------|
|             |   |  | Debtor(s)   | Chapter  | 7  |                |
|             | DIS   | SCLOSURE OF COM  | IPENSATION OF ATTO  | RNEY FOR D   | EBTOR(S)                                 |                |
| c           | ompensation paid t  | to me within one year before the   | ey Rule 2016(b), I certify that I he filing of the petition in bankrupto ation of or in connection with the base.   | cy, or agreed to be p  | aid to me, for services                  |                |
|             | For legal service   | ces, I have agreed to accept   |   | \$   | 500.00                                   |                |
|             | Prior to the filin  | ng of this statement I have rece   | eived   | \$   | 500.00                                   |                |
|             | Balance Due   |  |   | \$   | 0.00                                     |                |
| 2. T        | The source of the co  | ompensation paid to me was:  |   |  |  |                |
|             | Debtor  | ☐ Other (specify):   |   |  |  |                |
| 3. T        | The source of compe   | ensation to be paid to me is:  |   |  |  |                |
|             | Debtor  | ☐ Other (specify):   |   |  |  |                |
| 4. <b>I</b> | I have not agree  | d to share the above-disclosed   | compensation with any other person  | n unless they are me   | mbers and associates of                  | f my law firm. |
| [           |   |  | npensation with a person or persons he names of the people sharing in th  |  |  | aw firm. A     |
| 5. I        | In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including: |  |   |  |  |                |
| b<br>c      | o. Preparation and to Representation o I. [Other provision: Negotiatio agreemen   | filing of any petition, schedule: of the debtor at the meeting of c s as needed] ons with secured creditors to | rendering advice to the debtor in de<br>s, statement of affairs and plan whice<br>creditors and confirmation hearing, a<br>preduce to market value; exempted; preparation and filing of mot | th may be required;<br>and any adjourned he<br>tion planning; prep | earings thereof; aration and filing of r | reaffirmation  |
| 5. E        | Represent   |  | sed fee does not include the following dischargeability actions, judicial   |  | elief from stay actions                  | s or any       |
|             |   |  | CERTIFICATION   |  |  |                |
|             | certify that the fore<br>ankruptcy proceedir  |  | of any agreement or arrangement fo  | or payment to me for   | representation of the d                  | ebtor(s) in    |
| Dated       | : March 28, 200   | 09   | /s/ Marilyn Bartor  |  |  |                |
|             |   |  | Marilyn Barton #1<br>Marilyn Barton #1<br>1606 Champlain  | 128-066<br>St.   |  |                |
|             |   |  | Ottawa, IL 61350<br>(815) 434-1166  |  |  |                |

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

# NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

B 201 (12/08)

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### **Chapter 11:** Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### **Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

| Marilyn Barton #128-066                        | X /s/ Marilyn Barton                                   | March 28, 2009 |
|--|--|----------------|
| Printed Name of Attorney                       | Signature of Attorney                                  | Date           |
| Address:                                       |  |                |
| 1606 Champlain St.                             |  |                |
| Ottawa, IL 61350                               |  |                |
| (815) 434-1166                                 |  |                |
| I (We), the debtor(s), affirm that I (we) have | Certificate of Debtor e received and read this notice. |                |
| Kelly J. Fink                                  | X /s/ Kelly J. Fink                                    | March 28, 2009 |
| Printed Name(s) of Debtor(s)                   | Signature of Debtor                                    | Date           |
| Case No. (if known)                            | X  |                |
|  | Signature of Joint Debtor (if any)                     | Date           |

Case 09-10852 Doc 1 Filed 03/28/09 Entered 03/28/09 15:44:36 Desc Main Document Page 36 of 38

# United States Bankruptcy Court Northern District of Illinois

|       |   | Northern District of Illinois                       |                   |                           |
|-------|---|---|-------------------|---------------------------|
| In re | Kelly J. Fink                                 |   | Case No.          |                           |
|       |   | Debtor(s)   | Chapter           | 7                         |
|       | VERI  | IFICATION OF CREDITOR 1                             | MATRIX            |                           |
|       |   | Number o  | of Creditors:     | 18                        |
|       | The above-named Debtor(s) he (our) knowledge. | ereby verifies that the list of cred                | itors is true and | correct to the best of my |
| Date: | March 28, 2009                                | /s/ Kelly J. Fink Kelly J. Fink Signature of Debtor |                   |                           |

Alliance Dental Group 210 N. columbia Ave. Oglesby, IL 61348

American Dream Financing P. o. box 790370 Saint Louis, MO 63179

Chase P. O. Box 15153 Wilmington, DE 19886

Citi P. O. Box 6500 Sioux Falls, SD 57117

Citi P. O. Box 6500 Sioux Falls, SD 57117

Citi Mortgage P. O. Box 183040 Columbus, OH 43218

Citifinancial Services, Inc. 3935 Frontage Rd. Peru, IL 61354

Encore 400 N. Rogers Rd. P. O. Box 3330 Olathe, KS 66063

Heavner, Scott, Byers & Mihlar, Att P. O. Box 740 Decatur, IL 62525

Hospital Radiology 8 W U. S. Hwy 6 Peru, IL 61354

HSBC 1352 Charwood rd. Hanover, MD 21076 Illinois Valley Community Hospital 925 West St. Peru, IL 61354

Navy Federal Credit Union P. O. box 25109 Lehigh Valley, PA 18002

Navy Federal Credit Union P. O. Box 24600 Merrifield, VA 22119

Ottawa Regional Hospital 1100 E. Norris Dr. Ottawa, IL 61350

Peru Anesthesia 925 West St. Peru, IL 61354

Radiation Oncology of Northern IL Dept. CH19108 Palatine, IL 60055

Sallie Mae P. O. Box 9500 Wilkes Barre, PA 18773